Research Report

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Protecting the right to free and fair elections

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Introduction

Elections are a central feature of democracy. For elections to express the will of the electorate, they must be ‘free and fair’.
‘Free’ means that all those entitled to vote, mostly dependent on age, have the right to be registered and to vote and must be free to make their choice. An election is considered ‘free’ when you can decide whether or not to vote and vote freely for the candidate or party of your choice without fear or intimidation. A ‘free’ election is also one where you are confident that who you vote for remains your secret.
‘Fair’ means that all registered political parties have an equal right to contest the elections, campaign for voter support and hold meetings and rallies. This gives them a fair chance to convince voters to vote for them. A fair election is also one in which all voters have an equal opportunity to register, where all votes are counted, and where the announced results reflect the actual vote totals.

General Overview

The phrase “one person, one vote” is often used as a shorthand for free and fair elections. The principle of “one person, one vote” means that every person has the ability to vote, and each vote has equal power. In the electoral system of the United States, this principle does not always hold in a literal sense.

Eight standards

There are eight standards to be met that define the ideal principle of free and fair elections. Most countries do not meet all of these standards, but the more they are followed, the more it represents the will of the people. There are different criteria based on if it's before, during or after voting.

Before:

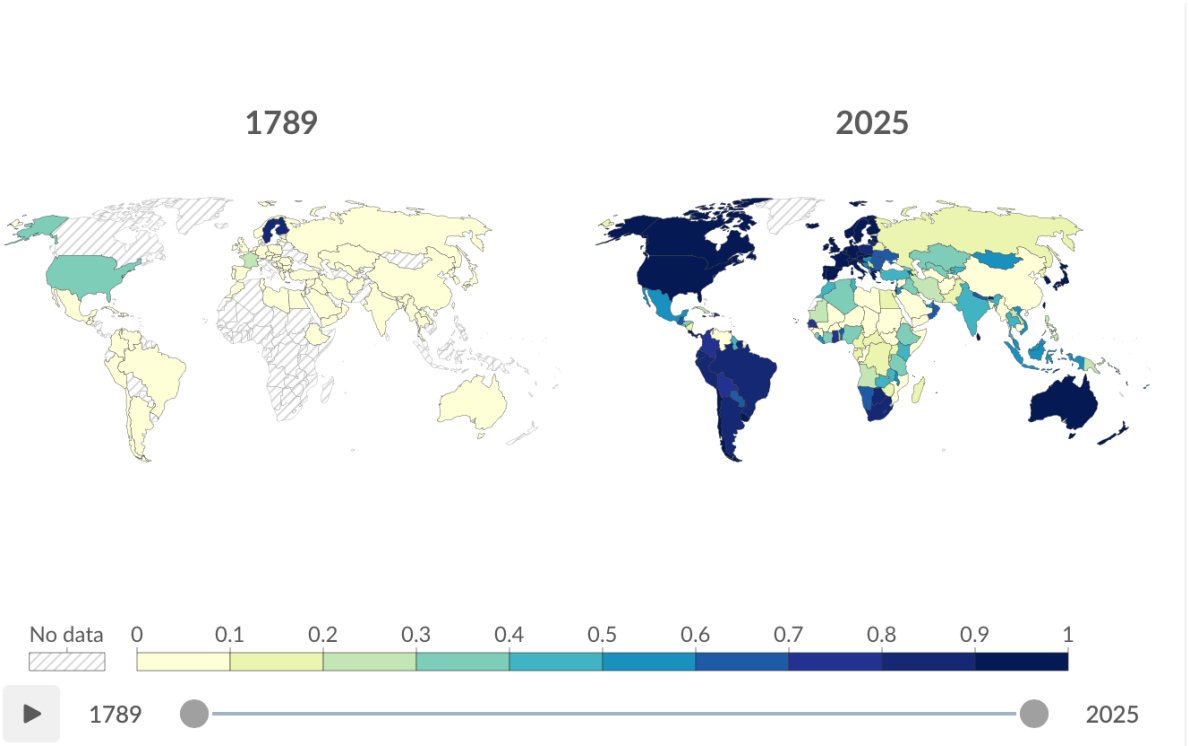
1. Governments can place restrictions on who can register to vote based on age, residency, or citizenship status. However, this also means that governments cannot prevent eligible voters from registering or make it more difficult for some groups in society to register than others. The latter was in effect, when it was impossible for black people to vote in the United States of America until 1965.
2. Governments cannot prevent the media from covering certain candidates or political parties, and they are also not allowed to intentionally spread misinformation. Authorities are also responsible for the access to reliable and unbiased information to freely make decisions about which candidate to support. This, in the face of society spreading misinformation.
3. Governments cannot attack or intimidate people who decide to run for office or create discriminatory rules about who is allowed to run. Voters are not able to freely exercise their right to select their leaders if certain political parties or candidates are unfairly blocked from running for office.

During:

4. People need to be able to freely cast their votes. They should have a reachable polling station, be able to enter them and have the freedom to cast their votes regardless of who they are or where they live. If voters are unable to cast their vote in person, due to a disability, health condition or lack of transportation, they should have access to an alternative method of voting.
5. Polling places should be safe. Violence, or the threat of violence, can make people feel afraid to vote for their candidate of choice or even prevent people from voting at all.
6. Every eligible voter should be able to vote only one time, and ineligible voters should be prevented from voting. The latter could include government leaders filling out more votes than allowed. When illegal ballots are included, the election does not reflect the will of voters.

After:

7. Ballots cannot be altered or discarded after they are cast, and all ballots cast by voters must be counted. They must be counted correctly in order for an election to reflect the will of voters.
8. Once the outcome of the election is decided, the candidates must respect the results of the vote. Peaceful transitions of power are vital and candidates who are defeated in the polls should not use violence or intimidation in order to seize power.



Map of how free and fair elections have evolved over time
0 means not free and fair, 1 means most free and fair

Elections and Political Processes vary throughout many countries. Looking at these processes through an international lens, based upon the *Free and Fair Elections Index* published by the V-Dem project, a noticeable trend may be observed. Countries have *generally decreased* the extent to which 'election violence, government intimidation, fraud, large irregularities, and vote buying' is prevalent within their elections. Although, the key term herein is 'generally'.

- Europe, North America and Oceania, are seen as a hallmark for Liberal Democratic Processes, with many holding 'perfect' free and fair elections. These countries have since the second world war and the era of enlightenment been a model for protecting the right for free and fair elections, at least domestically.
- Latin America and parts of Africa and Asia, maintain imperfect; "flawed" democracies. Most of these countries either had a recent struggle through the liberation out of authoritarianism, or are facing high levels of corruption domestically. These countries have shown to move towards a more democratic system, bettering the right to vote and free and fair elections.
- The remaining countries, e.g Russia, Saudi Arabia, Libya and China are either considered countries lacking any free and fair elections, or countries which mask behind Democratic

systems but actually maintain autocratic regimes. These countries have often democratised in the past slightly, but show a very small increase democratization, or none at all.

Major Parties Involved

- **Countries in an ongoing war**: if we look back at point 5 of the general information, we can see that there is danger for people in warfare countries. These could include: Afghanistan, Israel, Palestine and Ukraine.
- **EMB's (Electoral Management Body)**: An EMB is an organization or body that has the sole purpose of, and is legally responsible for, managing some or all of the elements that are essential for the conduct of elections and direct democracy instruments, such as referendums, citizens' initiatives and recall votes, if those are part of the legal framework. These essential elements include:
- determining who is eligible to vote;
- receiving and validating the nominations of electoral participants (for elections, political parties and/or candidates);
- conducting polling;
- counting the votes; and
- tabulating the votes.
- **Media and journalists**: They are essential for the spread of honest and fair information that the inhabitant could use for optimising their decision making. Beside that, they are as well responsible for the unmasking of misinformation of fake news, manipulation and biased opinions.
- **NGO's (Non-Governmental Organizations)**: They organise the education of people on the topic of free and fair elections and teach them how they could best vote. They also make sure that in their own government, the elections are done fairly and safely.

Possible Solutions

Secret ballots can also help prevent coercion or intimidation since they help prevent people from targeting voters based on whom they voted for.

Most countries have poll watchers who observe voting at polling places to ensure that the election is run properly and no fraud is committed. Though a lot of countries lack this procedure. By implementing an amendment on this topic to make the process safer, we can increase the ensurement of free and fair elections.

Most countries have independent electoral commissions or agencies that oversee elections to prevent individuals or the government from interfering in the results. While in some countries around the world this is still an unsure process. A new law on how to make this process safe, would be a good solution.

NGO’s still lack money, governmental support, access for all people and belief. If we make laws on ensuring the stability on NGO’s the world would be more educated and safe.